

SHERRI L. SCHWEITZER, COUNTY COUNSEL

BY: WILLIAM H. KENNEY, ASSISTANT COUNTY COUNSEL

ATTORNEY ID#: 9179

520 MARKET STREET – 14<sup>TH</sup> FLOOR COURTHOUSE

CAMDEN, NEW JERSEY 08102-1375

(856) 225-5543

ATTORNEYS FOR DEFENDANT, COUNTY OF CAMDEN AND CAMDEN COUNTY SHERIFF'S DEPARTMENT

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

GLENN KINGSBURY, Individually and in :  
in his capacity as Executor of the ESTATE :  
OF JOHN KINGSBURY, deceased :

CIVIL ACTION

*Plaintiff(s)* :

vs. :

CIVIL ACTION NO. 1:13-cv-07912

CAMDEN COUNTY SHERIFF'S :  
DEPARTMENT; CAMDEN COUNTY; :  
LAUREN KOHL; MICHAEL CASTRO; :  
JOHN DOES 1-5; individually and/or in :  
their official capacities, jointly, severally :  
and in the alternative :

**AFFIDAVIT OF KEVIN CUNANE, SERGEANT**

*Defendant(s)* :

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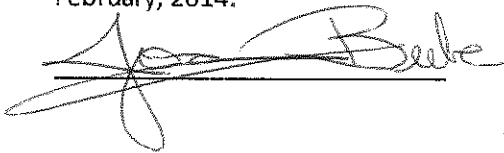
Kevin Cunane, of full age, being duly sworn upon his oath, deposes and says:

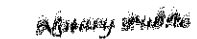
1. I am a Sergeant in the Camden County Sheriff's Office and have been assigned to Internal Affairs since May 25, 2009.
2. In my capacity in IA, I am familiar with the allegations in both the civil action captioned above and the criminal matter styled State v. Castro in Atlantic County.
3. Sheriff's Officers, including Lauren Kohl, a defendant in this matter, are issued service weapons, and records of issue and use are kept by the Department.
4. Lauren Kohl was issued a Sig Sauer, Model P220, .45 caliber with serial No. G323388 on November 3, 2010.
5. Lauren Kohl turned this weapon in for a new service weapon on August 14, 2013.

6. Our own internal affairs investigation showed that Plaintiff's decedent was killed with a .38 caliber weapon – later identified by ballistics testing as a Ruger LCP .380 caliber handgun owned by Lauren Kohl.
7. The Sheriff's Department has never issued a .380 caliber weapon to Lauren Kohl.
8. The identified .380 caliber Ruger has never been in the possession, custody or control of the Camden County Sheriff's Department.
9. As part of our Internal Affairs investigation, we received and reviewed the Winslow Township Police Department investigative report showing Defendant Kohl reported two personal weapons either lost or stolen on February 19, 2012. That two-page report is attached as Exhibit 1.

  
KEVIN CUNANE, SERGEANT  
Camden County Sheriff's Office

Sworn and subscribed to  
Before me this 18<sup>th</sup> day of  
February, 2014.



  
State of New Jersey  
Joann Beebe  
My Commission Expires April 26, 2014

WINSLOW TWP. 12/19/12 02:19 PM WINSLOW TWP. 12/19/12 02:19 PM INVESTIGATIVE REPORT

1. Complaint Number 2012-008549		2. Mun. Code NJ0043600		Phone Number (609) 551-3300		4. UCR		21. Prosecutor's Case Numl.		22. Criminal Case Number	
5. Crime/Incident THEFT / LARCENY				6. NJS 20:20-3				23. Victim's Name (First, Middle, Last) LAUREN KOHL			
				Social Security Number 155-80-0363				24. D.O.B. 02/20/1978		25. Sex F	
								26. Race WHITE			
DATE AND TIME		7. Between <input checked="" type="checkbox"/>		8. Hour 20:00		9. Day Sat		10. Mo. Dec		11. Date 24	
				07:00		Mon		Feb		13	
										12. Yr. 12	
13. Crime/Incident Location 5 OAK FOREST DRIVE NJ								28. Employer CAMDEN COUNTY SHERIFF'S D			
								Phone (856) 225-7551			
14. Municipality WINSLOW TWP				15. County CAMDEN		16. Code 0436		29. Person Reporting Crime/Incident LAUREN KOHL			
17. Type of Premises SINGLE FAMIL				18. Code 21		19. Weapons - Tools UNKNOWN		20. Code UNK		30. Date and Time 2/19/2012 14:36	
31. Address 5 OAK FOREST DRIVE SICKLERVILLE NJ 08081				18. Code 21		19. Weapons - Tools UNKNOWN		20. Code UNK		Phone (856) 875-7480	
32. Modus Operandi THE COMPLAINANT IS REPORTING TWO FIRE ARMS MISSING FROM HER RESIDENCE. IT IS UNKNOWN IF THEY ARE LOST OR STOLEN.											
33. Vehicle		34. Year		35. Make		36. Body Type		37. Color		38. Registered Number & State	
39. Serial Number or Identification		40. Currency		41. Jewelry		42. Furs		43. Clothing		44. Auto	
45. Misc. \$955.00		46. Total Value Stolen \$955.00		47. Total Value Recovered		48. S.O.I.C. #		49. Computer Msg.		50. Technician - Agency	
51. OLN #		52. LIS		53. N.C.I.C. # G232631303		57-62. Evidence Found					
54-56. Witness											
List Accused. List and Identify Additional Victims; Describe Perpetrators or Suspects; Action Taken Include Findings and Observations of Investigator; Physical Evidence Found; Where By Whom; Disposition and Technical Services Performed; Interview of Victims; Persons Contacted; Accused Suspects' List; Describe Stolen Property; Value; Court Action; Attached Statements.											
63. No. of Accused 0		64. Adult 0		65. Juvenile 0		66. Status Crime ACTIVE		67. Status Case INVEST		68. UCR Status Month Yr.	
69. Date Cleared		70. Name		Address		71. Age		72. Sex		73. Race	
74. DOB		[FIREARM] ONE RUGER LCP .380 HANDGUN SERIAL NUMBER 37201647 NCIC#G232631303									
[FIREARM] ONE KARR .40 STAINLESS HANDGUN SERIAL NUMBER DF1806 NCIC#G592634371											
ON 02/19/2012 AT 1436 HRS I WAS DISPATCHED TO 5 OAK FOREST DRIVE FOR A LOST OR POSSIBLY STOLEN FIREARMS REPORT. UPON ARRIVAL, I MET WITH LAUREN KOHL WHO WAS STANDING IN FRONT OF THE RESIDENCE. KOHL REPORTED THE FOLLOWING INFORMATION TO ME:											
KOHL FIRST STATED TO ME THAT SHE IS EMPLOYED BY THE CAMDEN COUNTY SHERIFF DEPARTMENT AS A SHERIFF OFFICER. KOHL STATED SHE NOTICED THAT TWO OF HER OFF. DUTY FIREARMS ARE MISSING. SHE DID NOT OBSERVE ANY FORCED ENTRY AND DID NOT FEEL LIKE THERE WAS A BURGLARY AT HER RESIDENCE. THE FOLLOWING IS THE REPORTED TIME LINE FOR THIS INCIDENT:											
-12/24/2011 KOHL WAS HEADING INTO THE CITY OF PHILADELPHIA AND CARRIED HER RUGER LCP .380 HANDGUN											
75. Name FTLM JAMES HAINES				76. Badge Number 206		77. Page 1 of 2 Pages		78. Date of Report Feb 21, 2012		79. Reviewed By LT R OSTERMUELL	
Signature _____						80.		81.		82.	

WINSLOW TWP POLICE DEPT

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1. Complaint Number 2012-008549	21. Prosecutor's Case Number	22. Criminal Case Number
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WIFE HER. WHEN SHE RETURNED HOME SHE THINKS SHE PLACED THE GUN BACK IN HER SAFE BUT WAS NOT SURE.

-01/01/2012 TO 01/15/2012 KOHL WAS ON VACATION AND NO ONE WAS TO BE AT HER RESIDENCE.

-02/13/2012 KOHL WAS TO REPORT TO THE RANGE FOR QUALIFICATION. KOHL ATTEMPTED TO LOCATE HER OFF DUTY WEAPONS AND NOTICED THAT THE ABOVE LISTED WEAPONS WERE MISSING. KOHL BRIEFLY SEARCHED FOR THEM AND WHEN SHE COULDN'T FIND THEM SHE TOOK A DIFFERENT OFF DUTY (A Taurus .40) TO THE RANGE TO QUALIFY. AFTER THE RANGE, SHE CONTINUED TO LOOK FOR THE MISSING GUNS.

-02/15/2012 KOHL NOTICED THAT HER REAR SLIDING DOOR WAS UNLOCKED BUT NOT OPEN. KOHL FELT THIS WAS ODD BECAUSE SHE NEVER USES THIS DOOR. KOHL STATED THAT THE DOOR COULD HAVE BEEN UNLOCKED FOR SOME TIME BECAUSE SHE NEVER USES THAT DOOR. KOHL CALLS OUT OF WORK CONTINUE TO LOOK FOR THE WEAPONS NOW WITH THE ASSISTANCE OF HER MOTHER.

-02/16/2012 KOHL IS UPSET ABOUT THE WEAPONS BEING MISSING AND CALLS OUT OF WORK.

-02/19/2012 AT APPROXIMATELY 1400 HRS KOHL CONTACTS HER INTERNAL AFFAIRS DEPT AT WORK TO ADVISE THEM SHE IS MISSING TWO WEAPONS. INTERNAL AFFAIRS TAKES THE REPORT AND ADVISES HER TO CONTACT WINSLOW POLICE.

I ASKED KOHL WHERE THE GUNS WERE SPECIFICALLY LOCATED IN THE RESIDENCE AND SHE ADVISED SHE IS NOT SURE. THE WEAPONS WERE IN THE SAFE AT ONE POINT BUT WERE REMOVED BECAUSE HER MOTHER WANTED TO LOOK AT JEWELRY IN THE SAFE AND IS AFRAID OF GUNS. THE GUNS WERE PLACED UNDER HER NIGHT STAND AT THAT POINT. KOHL ADVISED ME SHE LIVES ALONE AND HAS GUNS IN SEVERAL PLACES THROUGHOUT THE RESIDENCE. THIS IS WHY KOHL TOOK SO LONG TO REPORT THE GUNS MISSING. I ASKED ABOUT THE POSSIBILITY OF A BURGLARY AND SHE STATED THAT SOMEONE COULD HAVE ENTERED THE RESIDENCE THROUGH THE UNLOCKED REAR DOOR AND REMOVE THE TWO GUNS. THE GUNS WERE MOST LIKELY IN HER BEDROOM AND THERE WERE NO OTHER ITEMS MISSING FROM THE RESIDENCE. THERE ARE THREE OTHER GUNS INSIDE OF THE RESIDENCE ONE WHICH WAS NOT SECURED IN A SAFE IN HER BEDROOM. KOHL ALSO STATED SHE HAS A MEDIUM SIZED DOG THAT BARKS AT SUBJECTS WHO COME NEAR THE RESIDENCE. KOHL STATED THAT HER MOTHER AND A CO WORKER FROM THE SHERIFF DEPT ARE THE ONLY PEOPLE WITH KEYS TO THE RESIDENCE. KOHL DOES NOT HAVE ANY SUSPECTS IN MIND THAT WOULD HAVE POSSIBLY ENTERED THE RESIDENCE AND REMOVE THE GUNS. I PROVIDED KOHL WITH A COPY OF THE CASE NUMBER AND MY INFORMATION. KOHL SIGNED THE NCIC ENTRY PAPERWORK FOR THE FIREARMS AND I CLEARED THE SCENE.

I RESPONDED TO POLICE HEADQUARTERS TO ENTER THE GUNS INTO NCIC AS STOLEN. THE GUNS WERE ENTERED (SEE ATTACHED NCIC PAPERWORK). THIS CASE IS PENDING FURTHER INVESTIGATION.

75. Name PTLM JAMES HAINES	76. Badge Number 206	77. Page 2 of 2 Pages	78. Date of Report Feb 21, 2012	79. Reviewed By LTR OSTERMUELL
Signature _____		80.	81.	82.